

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT RAMIREZ, et al.

Plaintiffs,

No. C 04-00281 JSW

v.

CINTAS CORPORATION,

Defendant.

**NOTICE OF TENTATIVE  
RULING AND QUESTIONS FOR  
HEARING**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD: PLEASE TAKE  
NOTICE OF THE FOLLOWING TENTATIVE RULING AND QUESTIONS FOR THE  
HEARING SET FOR DECEMBER 14, 2007:

The Court has reviewed the parties' memoranda of points and authorities and, thus, does not wish to hear the parties reargue matters addressed in those pleadings. If the parties intend to rely on authorities not cited in their briefs, they are ORDERED to notify the Court and opposing counsel of these authorities reasonably in advance of the hearing and to make copies available at the hearing. If the parties submit such additional authorities, they are ORDERED to submit the citations to the authorities only, without argument or additional briefing. *Cf.* N.D. Civil Local Rule 7-3(d). The parties will be given the opportunity at oral argument to explain their reliance on such authority.

The Court **tentatively grants** the unopposed motion to approve the dismissal of Plaintiff Vick's individual and class claims.

The parties each shall have ten minutes to address the following questions:

1. Does the language in the proposed stipulation regarding Ms. Vick not being an adequate class representative have any potential impact on the class claims? Why is that language necessary?
2. Plaintiffs represented in the motion that no members of the putative class whom Ms. Vick sought to represent have contacted them. Has anything changed since the motion was filed?
  - a. Plaintiffs assert that absent class members have not relied on Ms. Vick's claims against Cintas. Given the press materials that mentioned Ms. Vick by name and the age of the case, what is Plaintiff's best support for this proposition? Can the Court find a lack of prejudice notwithstanding the publicity based on the fact that the statute of limitations would not preclude persons similar to Ms. Vick from asserting claims against Cintas?
  - b. Would either party seek to avoid the settlement if the Court required some sort of notice, such as a press release, to alert class members, who may have refrained from filing suit, to the dismissal of the class claims.
3. Are there any other issues the parties wish to address?

Dated: December 11, 2007

  
JEFFREY S. WHITE  
UNITED STATES DISTRICT JUDGE